

**Item 3b**    **15/00224/OUTMAJ**  
**Case Officer**                                        **Caron Taylor**  
**Ward**    **Chorley North West**  
**Proposal**    **Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure.**  
**Location**    **Land 200M North Of Derian House  
Euxton Lane  
Chorley**  
**Applicant**    **Euxton Lane Developments**  
**Consultation expiry:**                            **14 April 2015**  
**Decision due by:**                                 **3<sup>rd</sup> August 2015**

**Recommendation**  
**That the application is approved.**

**Representations**

<b>Parish Council</b> – no representations received.
<b>In total 7 representations have been received which are summarised below.</b>
<b>Objection:</b>
Total No. received: 7
<u>Employment</u> <ul style="list-style-type: none"> <li>• There is more than adequate industrial permission already in place on the very close Buckshaw Village which has not yet been taken up. It is likely there will be no take up of the industrial leases and then they will apply for more housing.</li> </ul>
<u>Highways</u> <ul style="list-style-type: none"> <li>• There are already considerable traffic issues on Euxton Lane road both approaching the hospital entrance from the motorway and in the opposite direction, in peak hours the current solution is not adequate as traffic backs up to the roundabout at the Chancery Road/ Euxton Lane junction, add to this the additional amount of vehicles from the new housing development on the rugby club and the current situation is already added to;</li> <li>• There will be issues with access to the hospital, and Strawberry Fields, again there is a purpose built industrial/ residential access already built which takes the traffic away from this junction;</li> <li>• Hartwood Hall traffic congestion - to add even more amounts of traffic using this junction does not make any sense, the whole junction which is the busiest in the town will not cope with additional volumes of traffic which this permission will require;</li> <li>• The high volume and speed of traffic already using Euxton Lane has already seen a number of accidents and fatalities;</li> <li>• The visitors and lack of parking at Chorley Hospital puts extra pressure on the roads already;</li> <li>• Another complex junction within a few hundred yards of the hospital junction will cause more delays , accidents or near misses;</li> </ul>

- There is already difficulty in getting out of the end of Badgers Walk and this will worsen;
- The proposal could generate up to 700 vehicles going in and out of the development onto Euxton Lane in addition to the residents to the proposed housing;
- Heavy good vehicles using the surrounding roads from other developments in the immediate surrounding areas i.e. Buckshaw, the Matrix Business Park and Chancery Road, means that the impact of traffic for this development cannot be taken in isolation and must be considered in the context of the increases across all developments and the threshold should be considered in this context accordingly;
- The Council are well aware of the problems of traffic congestion on Euxton Lane, Preston Road and Junction 8 on the M61, particularly at peak periods. To allow this application would increase traffic in all these areas and further add to congestion;
- An extra traffic light system, to allow access to the proposed area of development, would be dangerous. Traffic now coming downhill from the hospital converge into one lane;
- Euxton Lane is now the only quick, direct route out of town to Euxton and Leyland as Southport Road has become congested, includes a school entrance and many road junctions. To increase traffic on Euxton Lane, at present, would be a mistake;
- It will result in extra traffic including heavy goods vehicles around an already overloaded road infrastructure, which will result in an even greater hazard than currently in existence to both Chorley Hospital and local residents. A recent prime example is Buckshaw Village which has resulted in a total bottle neck of the current road infrastructure at certain times of the day;
- It is adjacent to a residential area and will have an impact on an already busy main road;
- The development is opposite a busy hospital with A&E facilities, this will add to the congestion in this area.

#### Residential

- There are more than enough residential permissions in the area, Buckshaw Village continues to be developed, new permissions have been granted in addition to this which add to the current numbers, why would more be required?;
- More housing putting further pressure on amenities – dentists, schools, dentists and hospitals;
- Why mix houses with industrial units?

#### Environmental

- Loss of green area for wildlife;
- There is no provision for play of leisure activities amongst the proposed housing;
- Noise and dirt created by construction;
- This development is on a green field site, not many left if the Council has its way;
- There are mature trees on the site and it is a haven for wildlife.

#### Neighbour Amenity

- Increase in traffic (including heavy good vehicles) and the physical impact and increase in noise and tremors to properties during the day and night disrupting sleep;
- The development will vastly increase traffic, noise and pollution in the immediate area.

#### Other

- The commercial buildings fronting the development with housing to the rear means Euxton Lane would resemble an employment zone rather than a residential area;
- There is no need for another public house;
- A convenience store could result in anti-social behaviour and is another retail outlet needed? It could have a detrimental affect on the town centre and existing local businesses;
- Concern over remaining area adjacent Alker Lane – they would be annoyed if it was developed with large warehouses – what information is there on the future of this parcel?;

- Buckshaw already has empty industrial units, a pub etc. why can it not be included on that site?

#### Derian House

- State they express concern at the proposals for the development on Exton Lane. They have seen details of the proposed development and whilst these have been amended slightly following their initial concerns they believe that the development will vastly increase traffic, noise and pollution in the immediate area. The impact on the well-being and health of their children and young people could be significant. The prospect of the impact on noise from a 24 hour express store and a public house across from the lodge bedrooms is of grave concern.

#### **Consultees**

<b>Consultee</b>	<b>Summary of Comments received</b>
Highways	See body of report.
Council's Tree Officer	<p>Within the application 4 Category B trees (T38,T39,T40,T41) and parts of Category B groups (G1,G15,G16,G17,G22) are planned to be removed to facilitate the development proposals.</p> <p>Category C trees within the application planned for removal (T42) Parts of Category C groups planned for part removal (G14,G19, G23,G24). These trees have moderate or low arboricultural value.</p> <p>There is a Category A tree T34 a Mature Ash on the site that is subject to a Tree Preservation Order. It is a tree with good form, balanced crown has high arboricultural value and is a good example of the species that is prominent within the local landscape. They recommend retention of T34.</p>
Highways England (formally the Highways Agency)	Do not have any objection the application in principle, but consider that it is appropriate that any planning consent be granted on condition that a full travel plan is prepared and enacted for the development.
Network Rail	Request a number of conditions in relation to the adjacent railway if permission is granted.
Environment Agency	State the proposed development will be acceptable if a planning condition is applied regarding details of surface water drainage to be submitted and approved.
Lancashire County Council as Lead Local Flood Authority	Has no objection to the proposed development subject to recommended conditions including surface water drainage.
Chorley Council Strategic Housing Team	<p>The affordable requirement is as follows:</p> <p>Based on 125 residential properties there would be 37.5 rounded to 38 affordable homes of which 27 would be Social Rented and 11 Intermediate Home Ownership (under current planning policy).</p> <p><u>Social Rented</u>  4 x 1 bedroom flats  3 x 2 bedroom bungalows  14 x 2 bedroom houses  6 x 3 bedroom houses</p>

	<p><u>Intermediate Home Ownership</u>  4 x 2 bedroom houses  7 x 3 bedroom houses</p> <p>If the Intermediate homes are decided not to be Shared Ownership (dependant on future demand) then a similar percentage to the discount needed to make a shared ownership property viable to transfer to a Registered Provider would be expected to be applied to any other intermediate tenure (e.g. 35%+).</p> <p>Local Connection to the borough of Chorley would be required to all affordable housing.</p>
Chorley Council Waste and Contaminated Land Officer	<p>Has reviewed the geo-environmental desk study report and this makes a good initial environmental appraisal of the site. One omission from this report is that it did not identify the presence of the former ROF site to the immediate North of the railway on the Northern boundary of the development site [the Officer has confirmed that this could be referred to in any future Phase II report rather than it being necessary to update the current one].</p> <p>They agree with the report in making recommendation for intrusive investigation, required for geotechnical purposes and to refine the risk assessment by identifying the nature of the superficial strata and actual levels of contamination. The site investigation should include groundwater and gas monitoring carried out in accordance with current guidance. Gas monitoring should be undertaken over a minimum 3 month period in order to classify the site and to identify any protection measures required.</p> <p>They recommend a condition to reflect the above.</p>
Police Architectural Liaison Officer	<p>Make a number of recommendations regarding security measures, which are more relevant to any reserved matters application. The agent has been made aware of the comments at this stage.</p>
Planning Policy Team on Public Open Space	<p>See body of report.</p>
Education	<p>Have requested £433,066 towards primary school places and £271,896 towards secondary school places. They have confirmed they do not require a school site as part of the development.</p>
Chorley Council's Head of Economic Development	<p>This site forms part of a larger site allocated for employment uses within the adopted Local Plan. Ideally an application for the entire allocated site would have been preferred. In addition, whilst their preference would have been for full employment uses across the site, it is understood that some residential development is required to make the scheme financially viable.</p> <p>They would support the following benefits:</p> <ul style="list-style-type: none"> <li>• Job creation – approx. 650 new jobs</li> <li>• New business start ups</li> <li>• Existing business expansion</li> <li>• Inward investment</li> <li>• Opportunities to create new partnerships across the</li> </ul>

region

Overall, they think that this is a unique opportunity to develop an innovative base for businesses in the North West, as it will not only include flexible office space for digital health small and medium sized enterprises to collaborate, but also opportunities for onsite access and links into an adjacent clinical hospital site and onsite residential and extra care facility with which the businesses can engage.

The jobs created in the digital health sector will be high value GVA [Gross Value Added] and add to Chorley's existing job market. There will be scope to support up to 24 new businesses or expansions to existing businesses, as well as creating opportunities for inward investment into the borough.

In terms of opportunities to create new partnerships, the scheme brings the North West Coast Academic Health Sciences Network into the area. They are working closely with the Local Enterprise Partnership, businesses and universities to create new business opportunities in the health care sector. They are supportive of this scheme and have contributed £25,000 funding towards its development. They are working with partners to provide additional value to the scheme by linking it to the Health Innovation Campus at Lancaster University. The opportunity is for this site to become an integral part of a digital health landscape in Lancashire, whereby the Chorley site is the hub for enterprise and development linked into world class academic research at the North of the county at Lancaster. The aim is for the North West to become an international centre of excellence for digital health, and this site can play an important role.

In terms of other opportunities for funding, they are aware that the scheme is listed within the pipeline applications for growth deal funding within the Local Enterprise Partnership. Though in development, the scheme also has outline contributions from blue chip companies to develop support packages for business to locate in the digital health offices.

The location of the scheme near to the motorway infrastructure and the nearby Chorley and South Ribble Hospital site provide ample opportunities for businesses to be in a great transport location as well as connecting and collaborating with healthcare providers.

Finally, in terms of a strategic fit, the growth in digital health businesses is listed as a target area for both Chorley Council's Economic Development Strategy and the Lancashire Strategic Economic Plan. The health sector is strong in Chorley providing the most jobs of any sector and is in the top five in terms of volume of businesses. Additionally, health is considered to be the third best growth sector in terms of GVA contribution. The Lancashire Strategic Economic Plan identified the health sector as a major employer in the region with activities ranging from high level research and medical product manufacture, through to employment in the NHS, and in a significant growing health and social care workforce which is increasingly migrating from the public to private sector.

They are aware that a social economic study of the digital health

	<p>sector was commissioned to develop a commercial framework to consider the needs and evidence base of such a scheme. This independently commissioned report indicates that <i>'The proposed development at Chorley would be a key addition to the digital health ecosystem within Lancashire and would be complementary to the capabilities at Lancaster University and the new Health Innovation Campus. The development at Chorley would provide facilities and activity that are focused on deployment and production of digital health technology to complement the more research-led activity at Lancaster and other competing developments.'</i> <i>Digital Health Park in Lancashire, A report by Cels Business Services Ltd (CBSL), December 2014</i></p>
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### **Applicant's Case**

1. The applicant has responded to the objectors made to the application including those from Derian House Children's Hospice:
2. They note the objection submitted on behalf of Derian House and write to comment on the concerns raised. It is one of only four objections received from local residents.
3. The objections compare the proposal to the current undeveloped green field state of the land. However, the site has been allocated for employment uses by the Local Plan Inspector. The mix of uses proposed will enable higher value office and research type employment associated with the Digital Health village. The proposed scheme offers a more sympathetic neighbouring use for Derian House and, with the residential and care elements, will result in less noise and pollution than a more open B1, B2 and B8 employment park which would generate a far greater number of HGV trips.
4. The Transport Statement demonstrates that the increase in traffic can be accommodated on the network and the proposed signalised junction will introduce a safe pedestrian crossing point of Euxton Lane near to Derian House and effectively reduce vehicle speed in the immediate vicinity. The noise assessment submitted identifies the sensitive receptors and makes design recommendations which will be integrated into the detailed layout at any reserved matters stage.
5. Early meetings were held with Derian House and in direct response to their comments the proposed pub was relocated further into the site away from Derian and a lower impact office use introduced on the land directly opposite. The landscaping plan was amended to introduce additional screening within the application site, and Derian House also benefits from substantial screening by mature vegetation within its grounds. Derian is separated from the application site by a wide and busy road corridor beyond which there is additional existing and proposed landscaping that will help mitigate any noise, with the possible shop location indicated on the masterplan being over 80m away.
6. The other objections submitted raise similar concerns about traffic and safety. However, the new signalised junction will help reduce speed on this section of the network and will be designed to meet required safety standards. In respect of concerns raised about HGV movements, as stated above, the mix of uses proposed will have lower numbers of heavy vehicles than an industrial or storage dominated development. The mix of uses also enables existing vegetation to be retained which is a further concern raised by local residents. Reduced speed over the section of road where it passes Derian house will also reduce traffic generated noise.
7. Overall, therefore, they state they are sensitive to the concerns of neighbours and confirm that the design has been developed where possible to take on board the comments raised as is the case in this instance.

### **Assessment**

## Background

8. The application is made in outline with all matters (except the access to the site), reserved for future determination.
9. The application site comprises 10.42 hectares of land to the North of Euxton Lane in Chorley. Some grazing takes place on the land and a local angling club fishes in the pond on the site.
10. To the north the site is bounded by the Blackpool to Manchester railway line and to the east by the properties on Strawberry Fields. The land immediately to the west is owned by the Homes and Communities Agency (HCA). A small stream/ditch runs along the boundary between the two sites. To the south the site is bounded by Euxton Lane. On the other side of Euxton Lane is the Derian House Children's Hospice and residential development on Astley Village.
11. The proposal includes a Digital Health Park as part of the employment uses on the site. Digital Health is an upcoming discipline that involves the integration of technology into healthcare to diagnose, treat and manage diseases and to encourage, measure, track and support wellness. These technologies include both hardware and software solutions and services.
12. The Digital Health Park proposed as a part of this application comprises up to 5000 m<sup>2</sup> of digital health offices start-up accommodation and 1000 m<sup>2</sup> of data centre provision (Use Class B1). To allow the scheme to be delivered the applicant is proposing a mixed use scheme as follows to ensure it is financially viable:
  - a. 3000 m<sup>2</sup> Digital Health start-up accommodation (Use Class B1)
  - b. 2500 m<sup>2</sup> light industrial/employment units (Use Class B1/B2/B8)
  - c. 3000 m<sup>2</sup> expansion for either Digital Health or light industrial/employment (Use Class B1/B2/B8)
  - d. 3600 m<sup>2</sup> care home (there is an identified need for step down care closely related to Chorley General Hospital which is located on the opposite side of Euxton Lane) (Use Class C2)
  - e. 2800 m<sup>2</sup> specialist care provision (such as dementia unit) (use Class C2)
  - f. 600 m<sup>2</sup> local convenience store (Use Class A1)
  - g. 700 m<sup>2</sup> family pub (A4) and / or 400 m<sup>2</sup> medical centre (Use Class D1)
  - h. New homes including 30% affordable (Use Class C3)
13. A parameters plan is submitted as part of the application and identifies zones for the proposed mix of uses and maximum heights of buildings in more sensitive locations on the site (see fig. 1).
14. It should be noted that the application description does not specify the number of dwellings applied for. The information in support of the application indicates this would be 125 dwellings but the application is assessed on the basis that the number of dwellings is not specified, however the number of dwellings would be restricted by the size of the area shown for housing on the submitted parameters plan.
15. A viability assessment has been put forward with the application that some housing is required to enable the delivery of employment on the site. The construction of the housing would allow the site access road to be put in and the employment land to be serviced in the form of utilities, therefore making the employment parts of the site ready serviced plots.
16. The site is an allocated employment site under Policy EP 1.5 in the emerging Local Plan 2012-2026 along with the land bounding with the site to the west (13.1ha in total).
17. The development will also be subject to a future bid for Growth Deal funding for infrastructure works to help enable the Digital Health element to come forward.

### Principle of the Development

18. Planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise.
19. The National Planning Policy Framework (the Framework) has a number of paragraphs relevant to this application:
  - Paragraph 18 - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
  - Paragraph 19- The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.
  - Paragraph 20 - To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.
  - Paragraph 21 - Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing.
20. The site is an allocated employment site under Policy EP 1.5 in the emerging Local Plan 2012-2026 which carries significant weight in decision making. The employment uses proposed on part of the site (falling within the B Use Class) accord with this policy and are therefore acceptable in principle.
21. The application proposes a mixed use scheme including housing and therefore the other uses are contrary to the allocation in the emerging Local Plan. Core Strategy Policy 10 is therefore relevant to the application which states:
22. *All existing employment premises and sites last used for employment will be protected for employment use. There will be a presumption that 'Best Urban' and 'Good Urban' sites will be retained for B use class employment use. Proposals on all employment sites/premises for re-use or redevelopment other than B use class employment uses will need to be assessed under the Policy 10 criteria:*
  - (a) *there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;*
  - (b) *the provision and need for the proposed use;*
  - (c) *the relative suitability of the site for employment and for the alternative use;*
  - (d) *the location of the site and its relationship to other uses;*
  - (e) *whether the ability to accommodate smaller scale requirements would be compromised;*
  - (f) *there would be a net improvement in amenity.*

*Any proposals for housing use on all employment sites/premises will need to accommodate criteria (a)-(f) above and also be subject to:*

  - (g) *convincing evidence of lack of demand through rigorous and active 12 month marketing period for employment re-use and employment redevelopment;*
  - (h) *an assessment of the viability of employment development including employment re-use and employment redevelopment.*



23. A Supplementary Planning Document (SPD) on Controlling Re-use of Employment Premises expands on this policy and provides guidance on marketing and the assessment of the viability of employment development.
24. The application proposal is therefore assessed against each of the above criteria:
25. **a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;**
26. The Framework states Local Planning Authorities should support economic growth through the planning system and the planning system should do *'everything it can to support sustainable economic growth'*.
27. The Central Lancashire Core Strategy requires Chorley to make provision for 112 hectares of employment land (gross) for B1, B2 and B8 use classes to the period 2026 (this requirement excludes land for A2 use classes).
28. The Local Plan Inspector's Partial Report of October 2013 considered the whole of this 13.1 ha site for residential use but stated it is allocated as employment site (EP1.5) and its re-allocation as a housing site would not be justified and would make the Plan unsound.
29. The Local Plan Inspector (Issue 5 – Delivering Economic Prosperity – Employment Site Allocations) considered the whole of the 13.1 ha site as an employment allocation and concluded it accords with the quantum and locational strategy of the Core Strategy for employment development, and that the range of site sizes and types allocated in the plan provide a flexible portfolio of sites. Furthermore, each employment allocation allows for a range of Class B employment uses, providing further flexibility. She goes on to say: *'All of the employment allocations are consistent with the Framework and none are physically constrained or require the provision of infrastructure to the extent that they would be made undeliverable. Most have the support of the landowner'*.
30. In relation to this site (allocation EP1.5) the Local Plan Inspector stated: *'Site EP1.5 is a 13.1 hectares, greenfield site north of Euxton Lane allocated for all Class B uses and is of sufficient area to provide a range of plot sizes. It is in a sustainable location in close proximity to Chorley Town Centre and Buckshaw station. It has a visible road frontage and no insurmountable environmental or infrastructure constraints'*.
31. The application site does not include the whole site of the EP1.5 allocation. Given the mix of uses proposed on this site what is proposed by the application would result in a loss of approximately 7.7 hectares of 'B' use class employment land. Nevertheless it is considered that there is adequate employment land remaining within Chorley town including the remaining part of the site EP1.5 (not forming part of the application) which is available for 'B' employment uses for the remaining plan period. In addition there is land at Buckshaw village, although limited sites for availability.
32. It is considered that although not falling within the B Use Class, two hectares of the application site will provide other employment generating uses which will drive economic growth and provide important job opportunities relating to care, retail and leisure sectors. The mix of uses includes service uses that could generate a significant amount of skilled and unskilled employment opportunities. The proposed facilities will also provide employment, services and facilities for the local community. It is not considered the proposal for additional housing on the remainder of the application site would result in an unacceptable reduction in the type, quality or quantity of the employment land supply.
33. **(b) the provision and need for the proposed use;**
34. The site is allocated for employment use to cater for the local employment needs of Chorley borough. The site is greenfield, and has a large prime site frontage visible and

accessible. The applicant argues the site is not suitable for all employment use for a number of reasons; because there is no demand for large B2/B8 units (and no demand through marketing); large units would be unacceptable on this site because of the physical constraints and the site would require significant changes and re-profiling of ground levels throughout; the site is on a 'B' road close to Chorley hospital and in a mixed residential area (i.e. in the wrong location); there are better placed sites for larger units; there is vacant space within a 5 mile radius that would have an effect on developers looking at demand and speculative development, unless there exists an occupier for such a unit on a pre-let basis.

35. The applicant has looked at smaller employment units and considers there is demand for speculative smaller schemes but they would have to be fully prepared and immediately ready for development to proceed to capture demand over the plan period. In respect of the application site the applicant states this cannot be achieved in isolation as even if a smaller employment site was placed immediately adjacent to the proposed new access, it would still require a signalised junction at a substantial cost including services. They consider this unviable and their marketing of the site shows there is limited demand and no interest to proceed.
36. Part of the employment uses proposed includes a Digital Health Park and the need for this is set out in documentation that supported a previous Growth Fund bid for the site. There is a compelling business case for this use in this location to help revolutionise the future delivery of health services through digital technology while co-existing and being in proximity to the Chorley Hospital. This has potential job creation in skilled workers and the direct health provision and potential medical centre will assist in underpinning the existing health sector facilities in the immediate area thereby helping to broaden employment opportunities and facilities in the local community and for Chorley as a whole. Digital Health is also a priority for the Council as set out in the Council's Economic Development Strategy refreshed last year and this has been confirmed by the Council's Head of Economic Development.
37. The care element is proposed to help meet the need for 'step down' accommodation associated with Chorley and South Ribble Hospital (accommodation for people being discharged from hospital who are not yet able to return home but don't need the level of medical care associated with a hospital), where hospital bed spaces are at a premium, and other specialist care housing. This is something supported by Policy 7 of the Core Strategy. The pub and local retail unit are ancillary elements of the plan and are facilities which will provide community cohesion yet also provide jobs in the community.
38. Based on the above it is considered that there is a need for the mix of uses on the site, particularly taking into account the location of the site in terms of its proximity to and therefore their relationship with the existing hospital. The associated viability issues are assessed below in terms of the need for them.
39. **(c) the relative suitability of the site for employment and for the alternative use;**
40. The site is greenfield, has a wide visible frontage and is in a highly sustainable area with links to public transport, and access to the site is feasible by walking and cycle routes.
41. It is not considered that the site is constrained for employment purposes by its topography and the surrounding uses as put forward by the applicant. The Local Plan Inspector considered the site for employment uses including taking into account its topography, adjacent neighbours, transport requirement/accessibility, sustainability and key features on the site. The appeal Inspector stated that none of the employment allocations including this site are physically constrained or require the provision of infrastructure to the extent that they would be made undeliverable.
42. The Central Lancashire Employment SPD recognises that for a scheme to be deliverable it needs to be viable. Where other uses than employment are proposed, mixed use schemes and live/work units should be considered which could contribute to supporting

the local economy. Paragraph 55 states *'there may be instances where a site's sole use for employment purposes is no longer viable. In such cases the Council will expect applicants to have examined the possibility of developing either mixed use schemes including live/work schemes or other elements (including some residential) to cross fund development. Where this can be clearly demonstrated the Council will adopt a more flexible approach and will seek to secure a mix of land uses in some cases'*. The viability of the site is considered later in this report.

43. In respect of sustainability the site is considered to be within a sustainable location for development and is suitable for a mix of employment uses which will also include 'B' employment uses e.g. Digital Health Park, and other industrial/employment units; and retail/leisure uses. The Council assessed the overall site as within Band B in term of sustainability as part of the emerging Local Plan process. The proposed housing will therefore be within a sustainable location and will deliver affordable housing, open space and landscaping.
44. **(d) the location of the site and its relationship to other uses;**
45. The site is adjacent to existing residential areas and other mixed uses including Chorley Hospital. Therefore the uses proposed are considered suitable within the location of the site and its adjoining uses in principle. The more specific relationship with the immediate uses is assessed later in this report.
46. **(e) whether the ability to accommodate smaller scale requirements would be compromised;**
47. The applicant has indicated that under current market conditions a development based on larger units would be completely unfeasible due to a total lack of demand and the surplus of vacant commercial premises within a 5 mile radius. There are signs of demand for smaller freehold units for owner occupiers/nursery style units for new businesses or smaller enterprises. There is however a small finite market for these and developers would only risk such speculative schemes where the site is fully prepared and ready for development. In respect of the application site the applicant states this cannot be achieved in isolation without enabling residential development as even if a smaller employment site was placed immediately adjacent to the proposed new access, it would still require a signalised junction at significant cost including services. They consider this unviable and their marketing of the site shows there is limited demand and no interest to proceed.
48. **(f) there would be a net improvement in amenity.**
49. This criterion applies to existing employment sites that are proposed to be redeveloped for other uses. This is a green field allocation within the emerging Local Plan.
50. As the application includes housing as part of a mixed use development it is also subject to criteria g) and h) of Core Strategy Policy 10:
51. **(g) convincing evidence of lack of demand through rigorous and active 12 month marketing period for employment re-use and employment redevelopment;**
52. The Framework says that planning policies should *'avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose'*. Core Strategy Policy 10 and its associated SPD supports this, and land allocations have been reviewed through the Chorley Local Plan 2012-2026. The Framework also says: *'Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'*.

53. The site is a new employment allocation in the emerging Local Plan and evidence is required from the marketing to determine market signals. As the application proposes housing the site should be subject to a 12 month marketing period to determine whether the site can be sold for the development of employment 'B' use and to show convincing evidence of lack of demand for 'B' employment uses on the site prior to a planning application being submitted.
54. The marketing strategy was provided to the Council in August 2014 with marketing particulars. The site was placed on Nolan Redshaw's website, the Focus website and also on the Council's 'Evolutive' commercial property database. A marketing board was placed on Euxton Lane with Nolan Redshaw directly marketing the site to all property agents throughout Lancashire and Manchester. Adverts were placed in the Chorley Guardian and Lancashire Evening post from 27 August to 2 September 2014 and again in the same publications between 2 to 12 December 2014.
55. The Planning Policy Team advise that the advertising details seem adequate although at no time was the sale price made public to the Council (£250,000 per acre guide price for smaller sites up to 3 acres) until the additional information was requested in May 2015. Nolan Redshaw has indicated it is not industry practice to quote the asking price on the marketing particulars and on larger sites a general guide price is given on a per acre basis. If a party is interested in the whole site then a quantum reduction would be negotiated. They consider Nolan Redshaw would have given wide coverage of the site during the initial marketing period and they have reiterated that most interest is generated in any property marketing campaign at the initial launch and within 3 – 6 months thereafter. Ideally in line with the Council's Employment SPD Marketing Strategy requirements (Appendix 1) this should have been undertaken on a more frequent basis (minimum 6 adverts) throughout the 12 month period. Nevertheless details have been on other sites Nolan Redshaw's website, the Focus website (for subscribers) and also on the Council's commercial property database.
56. The site has been marketed openly for commercial employment uses for 10 months and received over 20 enquires during the first 4 months but there has been no firm interest in the site either as a whole or in parts.
57. The additional information provided in respect of criteria g) regarding marketing details, and provision of invoices for advertising, although not quite as frequently as set out in the SPD or for the full 12 months, it is considered that what has been carried out is sufficient to demonstrate that lack of demand and it is therefore considered to satisfy the policy requirements.
58. **(h) an assessment of the viability of employment development including employment re-use and employment redevelopment.**
59. In terms of criteria h) the SPD states that applicants will be expected to clearly demonstrate why they consider that new employment development cannot be achieved on a site for reasons of financial viability, and the Council will give full consideration to the evidence submitted and may need to take independence advice on this.
60. The applicant has indicated the site needs the proposed mixed uses to make the development viable as it is not with purely employment uses. A financial viability statement has been submitted with the application and has been assessed independently on behalf of the Council.
61. The National Planning Policy Framework states that to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. Guidance is also given in the Planning Practice Guidance.

62. The viability information submitted demonstrates that in order to bring forward any employment uses on the site there needs to be an element of enabling residential development. Further information regarding viability was sought during the application process and it now considered that the amount of residential development is appropriate and that this aspect of the policy has been met.
63. To conclude the assessment of the proposal against Policy 10 of the Core Strategy, the proposal is considered to meet the criteria and a mixed use on the site is therefore considered acceptable in principle.
64. The site is allocated for 'B' use class employment under emerging Local Plan Policy 2012-20126 EP1.5 and requires a masterplan. An illustrative masterplan has been submitted with this application.
65. Neighbourhood convenience store and public house  
The application includes a neighbourhood convenience store and public house (although this may alternatively be a medical centre). Policy EP9 – Development in edge of centre and out of centre locations applies to the neighbourhood convenience retail store and family pub proposal. This policy indicates outside the town centre change of use and development for small scale local shopping and town centre uses (either as part of mixed use developments or in isolation) will be permitted where the proposal meets a local need and can be accessed in its catchment by walking, cycling and public transport; does not harm the amenity of an adjacent area and the sequential and impact assessment are satisfied setting out how proposals do not detract from the function, vitality and viability of the borough's hierarchy of centres.
66. A sequential test has been undertaken as required for the proposal, based on an 800m catchment agreed with the Council– what is proposed being a neighbourhood store meeting the day to day needs of employees, residents of the proposed development and the immediate surrounding development.
67. The 800m catchment does not include any designated town or local centre against which to assess sequentially preferable sites – the nearest local centre Astley Village is approximately 1km from the site and all units there are let with no sites available within this centre available to accommodate the proposed retail use. This has also been confirmed by the Council's district and local centre monitoring (April 2015). There are no sequentially preferable sites in the area either to accommodate the proposal. It is not considered the proposal will harm the town centre because the proposal is for a neighbourhood store of up to 600m<sup>2</sup>.
68. It is considered the development passes the sequential test. There are no suitable or available sites which could accommodate a neighbourhood convenience store in a sequentially preferable location within the agreed 800m search area.
69. An impact assessment is not required in this instance due to the scale of the proposed retail element i.e. the retail element is for 600msq (gross internal area), less than the threshold of an impact assessment which applies to developments of 2,500m<sup>2</sup> and over.
70. The public house proposed on the site will also provide a level of employment despite not falling within the B Use Class.
71. In terms of both the convenience store and the public house, Policy 25 of the Core Strategy covers Community Facilities and aims to ensure that local communities have sufficient community facilities provision by encouraging and coordinating new provision that are accessible by all modes of transport. It is considered that these facilities will complement the housing and employment uses on the site in accordance with this policy.
72. Housing  
Policy 7 of the adopted Core Strategy requires affordable housing to be provided on sites of 15 or more dwellings or 0.5 hectares in size at a level of 30%. This is proposed by the

application and will need to be secured by a Section 106 agreement. The Council's Strategic Housing Officer has advised on split and tenure. The proposal is therefore considered acceptable in relation to Policy 7.

73. Care Home/Specialist Care Provision

A care home and specialist care provision is proposed to the north of the site. Policy 7 of the Core Strategy also covers Special Needs Housing. The policy aims to enable sufficient provision of affordable and special housing to meet needs and includes (d) special needs housing including extra care accommodation. It states that this will be required to be well located in communities in terms of reducing the need to travel to care and other service provision. The application also has the potential to incorporate 'step down' provision associated with Chorley and South Ribble Hospital (accommodation for people being discharged from hospital who are not yet able to return home but don't need the level of medical care associated with a hospital), where hospital bed spaces are at a premium. Although not falling within the B Use Class it is considered that such uses would create a reasonable level of employment on the site, as well as meeting the aims of Policy 7 of the Core Strategy.

74. In addition to the above, another factor that needs to be weighed in the balance in coming to a decision is the Council's Economic Development Strategy. This was approved in 2012 and refreshed in 2014 and sets out an economic vision for Chorley, together with five priority areas. One of these priorities is to promote and increase inward investment in Chorley and a key action within this for 2014/15 -2015/16 is to progress opportunities around developing a Digital Health Park in Chorley. Digital Health is also a target area in the Lancashire Strategic Economic Plan. A Digital Health Park is therefore seen as a priority of the Council and the housing proposed will allow this site to come forward for this purpose. Significant weight is given to this factor in the decision making process.

75. To conclude the principle of the development, the proposal is considered acceptable in policy terms. Marketing and viability information has been provided and found to be robust in its findings. The housing proposed is required to facilitate the access road and servicing of the employment part of the site. The other uses proposed on the site as part of the mixed use scheme, although not strictly employment uses in terms of them not falling within the B Use Class (and therefore are not employment uses under Core Strategy 10), are accepted as providing some levels of employment in their own right. These are given some weight in favour of the proposal in the decision making process. In addition the housing will facilitate employment in the form of a Digital Health Park which is a key action for the Council as set out in the Economic Development Strategy and this is given significant weight in the planning balance. Overall, the proposal is considered acceptable in principle.

76. There is a potential risk that the housing proposed would be provided without the employment coming forward. The housing is required to enable the employment site to be serviced in the form of an access road and utilities. Although this risk cannot be entirely eliminated as the factors surrounding this are not all within the control of the Council e.g. market demand, conditions are proposed to ensuring the phasing of the housing is linked to the servicing of the employment land.

Reserved Matters

77. As the application is only made in outline, apart from the access point, the other matters are not for consideration as part of this application. The Council must however be satisfied that what is applied for could satisfactorily be achieved on site if outline permission was granted. An illustrative Masterplan has been provided with the application along with a parameters plan.

78. The reserved matters will be covered in turn:

Layout and Scale

79. There is a pronounced level difference across the site of approximately 20m, the land rising from east to west and particularly steeply where it adjoins the residential properties on Strawberry Fields. A parameters plan is submitted as part of the application and identifies zones for the proposed different uses and maximum heights of buildings in different locations on the site. The residential development is shown to the east of the access point up to the boundary with Strawberry Fields and between the centre of the site and the railway line as two areas of housing separated by an area of C2 uses (shown on the the illustrative Masterplan as a care home and specialist care unit). All of these uses are shown to be a maximum of 3 storeys high (12m to ridge) apart from housing approximately 30m from the boundary with the existing properties on Strawberry Fields which is shown to be a maximum of 2 storeys high (9m to ridge).
80. To the west of the access point are the A1 (shops)/A4 (drinking establishments)/D1 uses (non-residential institutions) shown in the application as a convenience store, family pub or health centre. These are all shown as 2 storeys (10m to roof level).
81. The employment element is split into two parts: B1 business uses fronting Euxton Lane running north/south adjacent to the above A1/A4/D1 uses, and beyond that (also fronting Euxton Lane) an area of B1/B2/B8 uses. The employment uses are all proposed to be a maximum of 3 storeys (15m to roof level) apart from the section within approximately 35m of the site boundary with Euxton Lane where the buildings will only be 2 storeys high (10m to roof level).
82. It is considered necessary that the heights of the buildings are lower adjacent to Euxton Lane to reduce the visual impact of the proposal and adjacent to Strawberry Fields to reduce the impact on the residential properties, as is shown on the parameters plan. The Council have adopted interface distances in terms of the relationship of new residential properties, both in terms of the impact on existing properties and between properties within the site. The land rises quite steeply to the properties on Strawberry Fields and the Council's interface distances are extended when there are differences in levels. The relationship between the proposed and existing properties will need to take account of these distances at any reserved matters stage but it is considered that dwellings can be satisfactorily laid out on the site in terms of the relationship with the existing neighbouring properties.
83. In terms of noise a noise assessment accompanies the application which has been reviewed by the Council's Environmental Health Officer.
84. The Planning Practice Guidance (PPG) on noise states that local planning authorities in decision taking should identify whether the overall effect of noise exposure would be above the 'significant adverse effect level' or not. This is reiterated by the Noise Policy Statement for England. Noise above this 'significant adverse effect level' should be avoided, noise below this may need to be mitigated and reduced to a minimum.
85. In relation to noise there are no European or national noise limits which have to be met. The National Planning Policy Framework states that planning decisions should aim to:
- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
  - mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
86. No guidance is given on what a significant impact is. There is a British Standard (BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings) that states: It is desirable that external noise levels do not exceed 50 decibels with an upper guidelines of 55 decibels in noisier environment. It goes onto say that:
- It is also recognised that these guidelines values are not achievable in all circumstances where development might be desirable. In higher noise area, such as city centres or urban areas adjoining the strategic transport network, a*

*compromise between elevated noise levels and other factors might be warranted. In such situations, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.*

87. The application is only made in outline and therefore the final position, design and orientation of the proposed uses on the site is not for determination at this stage (although the parameters plan does show 'zones' on the site within which the different uses would be located). In addition the application applies for a family pub and/or medical centre.
88. There is no indication as to the potential hours of operation of either the light industrial or the retail units on the site. It is considered the proposed dwellings on the application site will be the most sensitive buildings to these uses, sharing an access point and service road. In order to protect the plots in close proximity to the loading area from potential noise disturbance from delivery vehicle movements and noise associated with loading and unloading, the Council's Environmental Health Officer recommends that hours of delivery, loading and unloading are restricted.
89. As stated above the final position, design and orientation of the proposals are not applied for at this stage and the need for conditions controlling hours may or may not be necessary depending on the details submitted at any reserved matters stage, for example if a medical centre is applied for rather than a pub they would have different opening times. Therefore it may be necessary to restrict delivery, loading and unloading hours as recommended by Environmental Health and/or opening hours at any reserved matters stage depending on the details submitted.
90. Derian House Children's Hospice have stated that they consider that the impact of the proposal on the well-being and health of their children and young people could be significant. The prospect of the impact on noise from a 24 hour express store and a public house across from the lodge bedrooms is of grave concern to them. These comments are noted, however the hospice is separated from the application site by Euxton Lane, a busy main traffic route in the borough that itself generates significant noise particularly during the day, although given it is a main route to and from the hospital and motorway it is likely to be busier than many other roads in the borough at other times, including during the night. In addition to this the hospice building is separated from Euxton Lane by a tree buffer approximately 10m wide and there would be approximately 40m between the hospice buildings and the boundary with the application site on the other side of Euxton Lane. Noise from the proposed uses during the evening and night from the site will focus around comings and goings to the site. The access to the site is further along Euxton Lane opposite the decked car park for the hospital. Although the proposed uses will be opposite the hospice site, it is considered that they would be sufficiently far away from the buildings and separated by the road that the application could not be refused on potential noise to the hospice buildings even taking into account the sensitive nature of the hospice.
91. The Blackpool to Manchester railway line bounds with the site to the north, therefore it is adjacent to the strategic transport network and is therefore in a higher noise area. Therefore it is considered that the test for noise in this case is that the development is designed to achieve the lowest practicable noise levels.
92. The application is only made in outline and does not include the layout of the proposal. Therefore at this stage the Council must be satisfied that at any reserved matters stage a layout could be achieved that would have acceptable levels of noise from the motorway.
93. The noise report recommends mitigation measures to reduce noise to the properties internally in the form of ventilation. The Planning Practice Guidance on noise states that significant adverse effects should only be avoided when there is no alternative ventilation so windows have to be kept closed. Alternative ventilation could be used in this case as is proposed in the noise report so the proposal is considered in line with the PPG.



94. As the layout of the proposal will have an impact on the noise levels on the site it is considered necessary to impose a condition requiring any reserved matters applications to be accompanied by a noise impact assessment demonstrating how the layout has been designed to minimise noise to the lowest practicable levels and include any necessary mitigation measures, both in terms of the proximity to the railway and between the different uses on the site. It is considered these could be controlled by conditions on any reserved matters application and the proposal is therefore considered acceptable in relation to noise.

#### Appearance

95. The appearance of the proposal is not applied for at this stage, but it is considered the most sensitive part of the site in terms of design is the area immediately adjacent to the access and Euxton Lane. The buildings on this part of the site are to be two storeys and it is considered an acceptable design could be achieved at any reserved matters stage.

#### Landscaping, Ecology and Openspace

96. In relation to trees and ecology in terms of the principle of the development, as the site is a green field there are a number of natural features, including field boundaries, trees and ditches. Although some trees will be removed to facilitate the development, the significant trees on the site are subject to Tree Preservation Order 14 (Chorley) 2014. All the protected trees will be retained as part of the development and a condition is proposed in relation to tree protection during construction. The site frontage to Euxton Lane is bounded by a hedgerow and this will be retained apart from at the new access point, as the existing verge in front of the hedge is wide enough to create a new off road cycle-way/footway.
97. The existing pond on the site will be retained, protected and enhanced. It will be re-graded to a safer profile and will be within an area of open space adjacent to one of the proposed areas of housing on the site as shown on the parameters plan.
98. The Council's Ecology advisor states that the Ecology Surveys that have been submitted with the application have been conducted by suitably qualified consultants, the surveys use generally accepted methodologies and they are proportionate to the expected impacts of the development. Although no comprehensive surveys for the specially protected species great crested newts were conducted they accept the rationale provided in the 'ERAP' ecology survey and assessment report of March 2015 that, because of the combination of factors detailed, it is reasonably unlikely that great crested newts make substantive use of terrestrial habitats within the application site. They advise no further detailed ecology surveys are therefore required prior to determining the application. The application site is not designated for its nature conservation value at any level and it is not adjacent to any designated sites. It has low potential to support any specially protected or priority species, although there is some limited potential for great crested newts to use terrestrial habitats associated with the site.
99. The application site is dominated by improved species-poor agricultural grassland of low ecological value. There are however habitats present of local and site-based nature conservation value, including hedgerows with associated relatively diverse plant communities, mature and semi-mature broadleaved trees and a pond. A watercourse is also present at the western boundary of the site that has some nature conservation value. The value of these habitats to local wildlife is demonstrated by the bat survey work which has shown that the hedgerows and the pond are well-used by foraging bats.
100. According to the Illustrative Masterplan the proposed development will result in the loss of the majority of the area of species-poor agricultural grassland and the loss of short lengths of hedgerow. However the majority of the hedgerows will be retained, new hedgerows will be planted, the pond and immediately surrounding habitat will be retained and habitat connectivity will be retained within and across the site. Amphibians and small mammals may make use of the grasslands on the site and without mitigation could be harmed or displaced by the development, although mitigation is perfectly possible.

101. The Council's ecologist does not consider that the proposed development will cause substantive harm to nature conservation interests and therefore have no overall objections to the outline development proposal on nature conservation grounds. It is concluded that there will however be minor impacts on local nature conservation interests and therefore they recommend some precautions to protect these interests. These are proposed via conditions and subject to these the application is considered acceptable in terms of ecology.
102. The detailed landscaping of the site would be covered at any reserved matters stage.
103. In terms of public open space, emerging Local Plan Policy HS4A sets standards for the Borough. In terms of amenity greenspace this is proposed to be provided on site. The policy requires at least 0.22 hectares to be provided on site, however the application indicate approximately 0.46 hectares will be provided on site so in excess of what is required. The amount of amenity green space to be provided at any reserved matters stage will be covered by a condition and set out in a S106 legal agreement. No maintenance cost is required as it is understood from the proposals private maintenance will be arranged however the legal agreement will set one out if the developer later decides to put forward the site for adoption by the Council.
104. In terms of provision for children/young people there is currently a surplus of provision in the Ward and the site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study. A contribution towards new provision or improvements is therefore not required.
105. In terms of parks and gardens there is no requirement to provide a new park or garden on-site or contribute towards improving existing provision as part of the development.
106. There are no parks/gardens within the accessibility catchment (1,000m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.
107. There is no requirement to provide new natural/semi natural greenspace on-site or contribution towards improving existing provision, however the parameters plans indicates the proposal will provide 0.81 hectares made up of the balance of non-amenity greenspace from the total 1.27 ha (greenspace and landscaping) within the site.
108. There is no requirement to provide allotment provision on site in accordance with the policy but it is within the accessibility catchment of a proposed new allotment site at Sylvester's Farm, Euxton (HW5.2). A contribution towards allotment provision is therefore required from this development of £15 per dwelling.
109. A Playing Pitch Strategy was published in June 2012 which identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements. The amount required is £1,599 per dwelling.
110. The above contributions will need to be secured via Section 106 legal agreement.

#### Flood risk and drainage

111. The site is not within Flood Zone 2 or 3 as identified by the Environment Agency, but it is over 1 hectare in size and therefore a Flood Risk Assessment (FRA) has been submitted as required. The Environment Agency has no objection to the proposed development subject to conditions.

112. In terms of drainage a drainage strategy has been submitted which includes the use of a Sustainable Urban Drainage System (SuDS). This has been done indicatively on the illustrative plan submitted.
113. Lancashire County Council as the Lead Local Flood Authority state the Flood Risk Assessment submitted as part of this application indicates that there is no significant flood risk to the site from existing sources. It should however be noted that the proposed development will result in a change to the flood risk vulnerability classification of the site. The proposed development will introduce significant new impermeable areas and the main consideration of the FRA is therefore ensuring surface water runoff from the impermeable catchment is managed on site and that there is no increase in flood risk to the wider locality. There is an existing pond and ditch system located on the site which will be retained and utilised for the drainage of the site.
114. The FRA submitted as part of this application indicates that the development site will be split into 6 zones and that the developer is proposing to utilise the existing ditch system and to introduce further SuDS features to drain each zone. The FRA states that post development run off from each zone will be discharged into the ditch system at existing greenfield run off rates and that each zone will be attenuated separately. This is welcomed by the Lead Local Flood Authority along with the use of SuDS to manage surface water runoff from the site. A draft drainage strategy is included as part of the application and the LLFA wishes to be formally consulted on the final drainage strategy for the site if this application is approved.
115. The FRA states that the SuDS introduced as part of this proposal will be managed privately by a management company. The local planning authority is advised to condition the requirement for maintenance of any proposed SuDS for the lifetime of the development with suitable details regarding funding, for example, also provided.
116. The proposal is therefore considered acceptable in terms of drainage and flood risk subject to conditions requiring full details of foul and surface water drainage.

#### Traffic and Transport

117. The Frameworks states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
  - safe and suitable access to the site can be achieved for all people; and
  - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
118. The access to the site is applied for as part of this application and would be via a new signal controlled access onto Euxton Lane along with a new pedestrian crossing. The position of the pedestrian crossing would allow pedestrians from the site to link through to Astley Village via existing footpaths.
119. Amendments have been made to the junction design proposed as a result of discussions with LCC Highways during the course of the application:
- The eastbound two lane approach to the junction has been extended and the merge has been improved with the offside lane merging into the nearside lane east of the proposed access;
  - The existing bus stop at Strawberry Fields is moved closer to the site access to improve access to the bus stop from the site. The relocation of the bus stop into a bus lay-by reduces "friction" to improve traffic movement on Euxton Lane when a bus is waiting at the stop;

- The existing footway across the site frontage is upgrading to a 3m cycle/footway and a cycle crossing is incorporated into the access road junction;
  - All crossings at the new junction have been designed as Toucan crossings to improve sustainable transport linkage between the site and existing area.
120. With regard to the wider traffic impacts a Transport Assessment accompanies the application and the associated traffic analysis identifies potential impacts on highway capacity at the Hartwood and Hospital roundabout signal junctions. However, LCC advised that this cannot be attributed wholly to traffic from the development and the future year analysis indicated the junctions are approaching capacity with background growth and committed traffic. The cumulative impact of existing and committed development will result in these junctions on the local network reaching capacity for periods of the network peaks in future years (with background growth and committed traffic). When this point is reached any further additional impact will exacerbate the congested conditions and this cannot be dismissed as minimal. However, LCC Highways advise that there are potential improvements to the existing junctions that can be made and the impact from the development would not therefore warrant objection, subject to the developer delivering mitigation measures for these highway improvements.
121. After reviewing the submitted traffic analysis LCC are confident the highway capacity at the Hartwood and Hospital roundabout signal junctions can be improved by review and validation of the existing MOVA signal controls and potential modifications to the road lining to optimise performance and improve capacity (MOVA (Microprocessor Optimised Vehicle Actuation) is already in use at these roundabouts and assesses which approaches are overloaded and how efficiently the green traffic signal is being used and seeks to determine a set of signal timings which will maximise the throughput of the junction under the current traffic conditions).
122. The developer has indicated committed to deliver this improvement as s278 highway works linked to the construction of the proposed site access and a contribution of £15,000 will be made via a Section 106 agreement to LCC to allow a review of the existing MOVA system and ensure the proposed junction signals operate in sequence with the existing Hartwood and Hospital roundabout junctions.
123. Subject to this LCC Highways consider that the impacts of the proposal will somewhat be mitigated on the local network and therefore indirectly provide a level of mitigation at those junctions which have been shown to be at, or approaching capacity. They therefore do not object to the application on highway grounds.
124. The impact of the junction and traffic from the proposed development has been assessed in terms of the impact it will have on nine nearby junctions on the Local Road Network. The junction analysis undertaken demonstrates that the development has a minor impact in terms of junction capacity and all junctions assessed will continue to operate within capacity.
125. Capacity analysis has also been undertaken in terms of the Strategic Road Network - Junction 8 of the M61 and Junction 28 of the M6 and shows that the development has a minor impact upon the operation of the junctions with a total development impact of less than 1% and can accommodate the development traffic.
126. The site is an allocated employment site in the emerging Local Plan 2012-2026 and therefore development on the site is acceptable in principle. The current proposal is for a mixed use development rather than a purely employment development. It is considered that the nature of the traffic from the mix of uses proposed on the site will have less impact than a pure employment use where access/egress from the site would be more concentrated at peak times of day. The proposal would also build the spine road through the site up to the boundary with the HCA land to the west. This would hopefully negate the need for a further junction from this land onto Euxton Lane in the future, although LCC Highways have stated that a separate junction would be possible.

127. At present there is an on-road cycle lane across the frontage of the site along with a footway approximately 1m wide separated from the road by a grass verge. As part of the proposals it is proposed to improve this situation by creating shared 3m wide off road cycleway/footway along the site frontage. This will improve safety for cyclists.
128. The new signalised junction will increase the frequency of gaps in traffic on Euxton Lane and as a result it is considered it will improve access/egress at existing junctions such as Badgers Walk onto Euxton Lane, where a new yellow box junction will also be implemented to assist residents exiting this cul-de-sac.
129. Both Lancashire County Council Highways and Highways England request conditions regarding the development of a Full Travel plan and this is proposed.
130. Assessing the proposal against The Framework, it is considered the site is well served by public transport and the proposed pedestrian crossing links the site with existing development to the south. The creation of an off-road cycle path across the frontage of the site is also considered to enhance the sustainability of the site. It is also considered that the proposed access is safe for users including pedestrians and cyclists.
131. Subject to mitigation in terms of a review of the existing MOVA system to ensure the signals of the proposed junction operate in sequence with the existing roundabout junctions the proposal is considered acceptable. The Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. It is not considered that the transport impact of the development would be severe.

#### Contamination and Coal Mines

132. A geo-environmental desk study report has been submitted with the application and reviewed by the Council's Contaminated Land Officer. The proposal is considered acceptable in relation to ground contamination subject to a condition they recommend.
133. The site is in a Low Risk Area as identified by The Coal Authority. This requires an informative note to be applied to any permission.

#### Community Infrastructure Levy (CIL)

134. The CIL payment to be levied on the proposed development will relate to the final scheme composition. Based on the March 2014 advice note prepared by the Council, a development brought forward in line with the uses/parameters proposed, the payment would equate to £65 per m<sup>2</sup> of dwelling house floor space and £40 per m<sup>2</sup> of retail floor space for a Neighbourhood Convenience Store.
135. Lancashire County Council have requested a contribution of £433,066 towards primary places and £271,896 towards secondary school places. Although the comments of the Education Authority are noted, education is covered by CIL and the developer will pay CIL on the residential properties. As a result a request for further information justifying their request has been made, including with how the request meets the legal tests set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended). No further evidence has been provided, so it is not considered that the request can be sought from the development.
136. Notwithstanding this, viability information has been submitted with the application which demonstrates the development is not viable as an employment site without cross-subsidy from housing. Viability is a material planning consideration. Paragraph 173 of The Framework states:
137. *To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable*

138. It is considered that even if it was considered justified the education request would make to the proposal even more unviable which in turn could put the Council's priority of delivering a Digital Health Park at risk.

#### Section 106 Agreement

139. A S106 Agreement will secure a financial contribution towards public open space and detail the amount of amenity green space to be provided on site in any reserved matters application. In accordance with Council policy 30% of the proposed residential element will be affordable and this will also be agreed secured by the agreement. The contribution requested by LCC Highways for reviewing the MOVA system on the junctions will also be included.

#### **Overall Conclusion**

140. The site is allocated for employment in the emerging Local Plan 2012-2016 however the application proposes a mixed use scheme.

141. Paragraph 22 of The Framework states *'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'*

142. Marketing and viability information has been provided and found to be robust in its findings. The housing proposed is required to facilitate the access road and servicing of the employment site. In addition the other uses proposed, although not strictly employment uses in terms of them not falling within the B Use Class and Core Strategy 10 it is accepted that they will provide some levels of employment in their own right. Therefore these are given significant weight in the decision making process. In addition the employment that the housing will facilitate is a Digital Health Park which is a key action of the Council as set out in the Economic Development Strategy and is given significant weight. There is a potential risk that the housing proposed would be provided without the employment coming forward and although this risk cannot be entirely eliminated conditions are proposed to ensuring the phasing of the housing is linked to the servicing of the employment land. Therefore on balance the proposal is considered acceptable.

#### **Planning Policies**

143. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

#### **Planning History**

144. There is no planning application history on the site relevant to this application.

